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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Agere Systems Inc.Application No./Patent No.: 09/454,027 Filed/Issue Date: December 3, 1999Entitled: Multidiscursive Coding Technique for Multistream Communication of SignalsAgere Systems Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Inventor(s) To: Lucent Technologies Inc.  
The document was recorded in the United States Patent and Trademark Office at Reel 010448, Frame 0331, or for which a copy thereof is attached.
2. From: Lucent Technologies Inc. To: Agere Systems Guardian Corp.  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: Agere Systems Guardian Corp. To: Agere Systems Inc.  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

July 24, 2003

Date

Joseph B. Ryan, Reg. No. 37,922

Typed or printed name

Signature

Attorney for Applicant(s)

Title

**PATENT ASSIGNMENT**

**by and between**

**LUCENT TECHNOLOGIES INC.**

**and**

**AGERE SYSTEMS GUARDIAN CORP.**

**Dated as of January 30, 2001**

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## **PATENT ASSIGNMENT**

**THIS PATENT ASSIGNMENT** (this "Assignment"), effective as of January 30, 2001 (the "Effective Date"), is by and between Lucent Technologies Inc., a Delaware corporation, with offices at 600 Mountain Avenue, Murray Hill, New Jersey 07974, United States of America, ("ASSIGNOR") and Agere Systems Guardian Corp., a Delaware corporation, with offices at 555 Union Boulevard, Allentown, PA 18109, United States of America ("Agere Systems Guardian").

### **RECITALS**

**A. WHEREAS**, the Board of Directors of ASSIGNOR has determined that it is in the best interests of ASSIGNOR and its stockholders to separate ASSIGNOR's existing businesses into two independent businesses;

**B. WHEREAS**, ASSIGNOR presently owns or controls certain patents, patent applications, and invention submissions listed in the attached Appendices A and B (hereinafter "TRANSFERRED PATENTS") and;

**C. WHEREAS**, in furtherance of the foregoing separation, ASSIGNOR desires to transfer, assign, convey, deliver and vest all of its interests and rights in TRANSFERRED PATENTS for all countries, jurisdictions and political entities of the world, to and in Agere Systems Guardian;

**NOW, THEREFORE**, in consideration of the premises and for other good and valid consideration, the receipt and sufficiency of which are hereby acknowledged, the parties, intending to be legally bound, agree as follows:

ASSIGNOR, subject to existing rights and licenses of third parties, does hereby assign, convey, transfer and deliver, and agrees to assign, convey, transfer and deliver to Agere Systems Guardian, its successors, assigns and legal representatives or nominees, ASSIGNOR's entire right, title and interest, for all countries, jurisdictions and political entities of the world, along with the right to sue for past infringement, to all TRANSFERRED PATENTS listed on Appendices A and B, and corresponding counterpart foreign patents and patent applications, with respect to which, and to the extent to which, ASSIGNOR now has or hereafter acquires the right to so assign, convey, transfer and deliver. Agere Systems Guardian recognizes that ASSIGNOR holds only bare legal title to the TRANSFERRED PATENTS listed in Appendix A (which lists the United States Patents and patent applications previously exclusively licensed to Lucent Technologies Microelectronics Guardian Corp.).

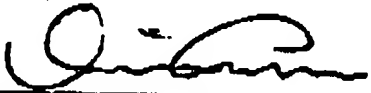
ASSIGNOR and ASSIGNEE recognize that the patents listed in Appendices A and B may inadvertently include patents that are owned by various subsidiaries of ASSIGNOR, including Agere, Inc., Ortel Corporation, Optimay Corporation, Herrmann Technology, Inc., and Enable Semiconductor, Inc. Ownership of such patents shall not be affected by this Patent

Assignment, and ASSIGNEE agrees that any such patents shall be deemed deleted from Appendices A and B.

ASSIGNOR agrees that, upon request it will, at any time without charge to Agere Systems Guardian, but at Agere Systems Guardian's expense, furnish all necessary documentation relating to or supporting chain of title, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for vesting title to TRANSFERRED PATENTS in Agere Systems Guardian, its successors, assigns and legal representatives or nominees; including but not limited to any acts which may be necessary, desirable or convenient for claiming said rights and for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in Agere Systems Guardian and its respective successors, assigns and legal representatives or nominees.

IN WITNESS WHEREOF, the parties have caused this PATENT ASSIGNMENT to be executed by their duly authorized representatives as of the Effective Date.

**LUCENT TECHNOLOGIES INC.**

By:   
Daniel P. McCurdy  
President, Intellectual Property Business

**AGERE SYSTEMS GUARDIAN CORP.**

By:   
Fred M. Romano  
President

**ACKNOWLEDGMENTS**

STATE OF NEW JERSEY )

: ss:

COUNTY OF SOMERSET )

I CERTIFY that on January 30, 2001, Daniel P. McCurdy personally came before me and this person acknowledged under oath, to my satisfaction that:  
a.) this person signed, sealed and delivered the attached Patent Assignment as President - Intellectual Property Business of Lucent Technologies Inc.; and  
b.) this Patent Assignment was signed and made by Lucent Technologies Inc. as its voluntary act and deed by virtue of authority from its Board of Directors.



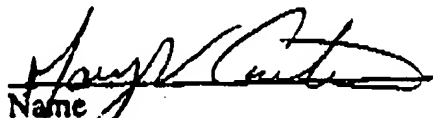
Name TAMORA ANNE HANNA  
Notary Public Notary Public of New Jersey  
My Commission Expires Registered in Hunterdon County  
[Notarial Seal] My Commission Expires March 25, 20

STATE OF FLORIDA )

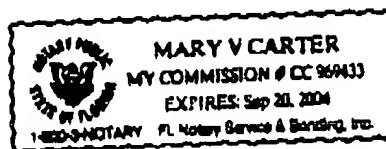
: ss:

COUNTY OF ORANGE )

I CERTIFY that on January 31, 2001, Fred M. Romano personally came before me and this person acknowledged under oath, to my satisfaction that:  
a.) this person signed, sealed and delivered the attached Patent Assignment as Vice President of Agere Systems Guardian Corp.; and  
b.) this Patent Assignment was signed and made by Agere Systems Guardian Corp. as its voluntary act and deed by virtue of authority from its Board of Directors.



Name  
Notary Public  
My Commission Expires:  
[Notarial Seal]



**CERTIFICATE OF OWNERSHIP AND MERGER  
OF**

**Agere Systems Guardian Corp.  
(a Delaware corporation)**

**INTO**

**Agere Systems Inc.  
(a Delaware corporation)**

**UNDER SECTION 253 OF THE GENERAL  
CORPORATION LAW OF THE STATE OF DELAWARE**

Agere Systems Inc., a corporation organized and existing under the laws of Delaware ("Corporation"), **DOES HEREBY CERTIFY:**

**FIRST:** The Corporation is the owner of all of the outstanding shares of common stock of Agere Systems Guardian Corp., which is also a business corporation of the State of Delaware.

**SECOND:** On August 22, 2002 the Subsidiary Governance Committee of the Board of Directors of the Corporation adopted the following resolution to merge Agere Systems Guardian Corp. into the Corporation:

**RESOLVED** that Agere Systems Guardian Corp., a Delaware corporation, shall be merged with and into Agere Systems Inc., a Delaware corporation, with Agere Systems Inc. being the surviving corporation, and Agere Systems Inc. shall thereupon assume all of the obligations of Agere Systems Guardian Corp."

**THIRD:** That the merger authorized hereby shall become effective as of 9:00 a.m. Eastern Standard Time on August 31, 2002.

Executed on August 22, 2002

**AGERE SYSTEMS INC.**

By Paul Bento  
Paul Bento, Vice President

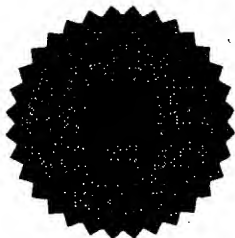
## *The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"AGERE SYSTEMS GUARDIAN CORP.", A DELAWARE CORPORATION,  
WITH AND INTO "AGERE SYSTEMS INC." UNDER THE NAME OF "AGERE SYSTEMS INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-NINTH DAY OF AUGUST, A.D. 2002, AT 9 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF OWNERSHIP IS THE THIRTY-FIRST DAY OF AUGUST, A.D. 2002.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



*Harriet Smith Windsor*  
\_\_\_\_\_  
Harriet Smith Windsor, Secretary of State

3268412 8100M

AUTHENTICATION: 1959517

020545223

DATE: 08-29-02

APPENDIX B (continued)  
Transferred Patents

Case Name	Filing Date	Issue Date	Patent No.	Serial No.
Sinha 11-37	1/27/1999			09/238137
Sinha 12-38	1/27/1999			09/238136
Sinha 13-39	1/27/1999			09/238138
Sinha 15-41	12/3/1999			09/454027
Sinha 16	12/3/1999			09/454028
Sinha 7-31	9/30/1998		08/163656	
Sinha 8-35	1/5/1999			09/225794
Skorko 2	9/16/1998		09/153040	
Smith 1	5/21/1997		08/861289	
Smith 1	2/10/1998		08/861289	
Smith 18	10/25/1999			09/426134
Smith 19	5/16/2000			09/571912
Smith 20	5/19/2000			09/574860
Smith 4	2/10/1998		09/021318	
Smith 7	9/25/1998		09/160411	
Smurthwaite 2	7/20/1999			09/357026
Soh 2	5/26/2000			09/578694
Soljanin 4	6/1/1999			09/323490
Spires 20-3	9/29/1998		09/162662	
Stangl 1	10/28/1998			08/427241
Stanton 5	1/5/1999			08/225969
Stayt 40	10/28/1999			09/428648
Steigerwald 27-1	8/17/2000		09/641160	
Steiner 11	8/7/1998		09/130984	
Steiner 21-15	8/31/2000		09/653297	
Steiner 8	8/14/1997		08/607834	
Stevenson 11	12/20/1999			09/466837
Stevenson 12	12/20/1999			09/467182
Stevenson 3	7/31/1998		08/126555	
Stevenson 6-2	12/20/1999			09/467183
Stevie 9-3	5/25/1999			09/320369
Stout 1	7/16/1999			09/354657
Strauss 10	8/4/1999			09/366977
Strauss 11	5/1/2000			09/562306
Strobel 1-8	3/18/1999			09/271973
Suhir 10	9/9/1999			09/392377
Suhir 15	9/1/1999			09/388242
Suhir 16	7/12/1999			09/351219
Suhir 17	9/9/1999			09/392378
Suhir 18	12/28/1999			09/472947
Suhir 19	5/18/2000			08/573263
Suhir 8	9/9/1999			09/392412
Suhir 9	8/18/1998		09/135969	
Sung 2-5	8/26/1999			09/383806
Tai 54-2	1/23/1998	6/13/2000	6075427	
Takahashi 6	12/10/1997		08/988420	
Tan 1	9/20/2000		09/665853	
Tang 5	8/2/1999			09/366117
Tappert 2	6/5/2000			09/587435
Tarsia 6-8	9/23/1998	5/16/2000	6064264	
Tate 1-14	9/8/1997		08/925607	
Taylor-Smith 12-21	3/27/1999			09/276912
Taylor-Smith 13	12/21/1999			09/469090
ten Brink 20	9/11/2000		09/659093	
Thumhofer 4	2/1/2000			09/495554
Timpe 1	8/19/1999			09/378329
Toth 1	7/30/1999			09/384440
Turner 2	12/23/1998	12/11/1984	06/392228	
Ubowski 11	11/17/1998			09/193631
Ubowski 12	5/21/1999			09/316922